

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JERRY CANKAT,

Plaintiff,

- against -

VANILLA CAFÉ PASTRY GARDEN,
CORP.,

Defendant.
----- X

DEARIE, District Judge

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

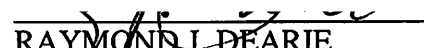
14 CV 6917 (RJD) (CLP)

On July 1, 2016, Magistrate Judge Pollak issued a Report and Recommendation proposing that the case be dismissed for failure to prosecute, unless the plaintiff filed a motion for default judgment or stipulation of settlement within 14 days. Plaintiff has filed neither. Instead, on July 15, 2016, plaintiff filed a "status report," advising that he had not yet served defendant in compliance with the Court's orders. This filing reflects an alarming failure to prosecute the case, instituted nearly two years ago, and a continuing disregard for the Court's directives. No objections to the Report and Recommendation have been filed, and the statutory period to do so has closed. Accordingly, Magistrate Judge Pollak's well-reasoned Report and Recommendation is adopted, and the action is dismissed with prejudice.

SO ORDERED.

Dated: Brooklyn, New York
August 24, 2016

s/ RJD


RAYMOND J. DEARIE
United States District Judge